

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
JANUARY 8, 2015  
TOWN HALL  
6:30 p.m.**

**CALL TO ORDER:** Mayor Steven Burg called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MAYOR	STEVEN BURG	PRESENT
1 <sup>ST</sup> DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 <sup>ND</sup> DISTRICT	PATRICIA FRANTZ	PRESENT
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	CHARLES MCKEWEN	ABSENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	PRESENT
6 <sup>TH</sup> DISTRICT	DEBORAH A. NORKAVAGE	PRESENT

Town Solicitor, Edward McNally – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

**PUBLIC COMMENT:**

Mr. Robert Leisey, 216 Tamarack Ave, stated that he wanted to thank the members of Council who supported him and that he is happy to announce that he has paid off all of the fees owed on his home and is planning to continue to the payments toward next year's taxes.

Mr. Bruce Decker, 6 Vilone Road, stated that he is opposed to Resolution 15-01 in regards to making Vilone Road a one way street. He stated that there are already too many one way streets in Vilone Village and that he does not understand what has prompted this to be considered since the resolution does not explain why the street needs to be changed to one way. He stated that he does not want the street to be a one way street.

Chris Vitsorek, 12 Vilone Place, stated that she wanted thank Councilwoman Norkavage for walking door to door to notify the residents that Resolution 15-01 was going to be considered. She stated that she too is opposed to this resolution and also does not understand why the Town is considering changing Vilone Road to one way.

Joe Corpina, 12 Vilone Place, stated that he too would like to oppose Resolution 15-01 for the one way on Vilone Road. Vilone Village is already a maze of one way streets and that he does not feel there needs to be any additional one ways added. He states that the Council should consider removing some of the one way streets in Vilone Village instead of increasing them.

Maritza Johnston, 502 Brier Ave, stated that she is having an issue receiving her security deposit back from Fenwick Apartments, she stated that she never moved into the complex because she rejected the apartment that she was supposed to move into due to its conditions, they have since returned her first months' rent but not her security deposit.

Councilman Jaremchuk stated that this is typically a landlord tenant issue which is governed by the State Attorney General's Office, however, we have been receiving a certain level of cooperation from the new Manager and that he would like the Town Manager to contact the manager and see if this could be resolved with a simple phone call.

Mayor Burg stated that he was approached by County Councilman Joe Reda regarding turning Vilone Road into a one way street so the Resolution was added to the agenda. He stated that he did receive the traffic study prior to the meeting.

Councilman Jaremchuk asked that we move straight to New Business Item 4: Consideration of Resolution 15-01.

#### **NEW BUSINESS:**

##### Consideration of Resolution 15-01.

Chief Laura Giles stated that she did conduct the traffic study along Vilone Road. The average speed was 21.5 MPH, and there have been 4 Accidents along Vilone Road since 2008 and that she does not believe that there is a need to change the street to a one way location.

Councilwoman Norkavage stated that she polled 59 residents along the street and 26 of those residents who said No to the resolution, 4 said Yes to the resolution, 4 Said they don't care and 25 did not answer.

**ACTION:** A motion was made by Councilwoman Norkavage to deny Resolution 15-01. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 Absent Motion carried

#### **APPROVAL OF MINUTES:**

##### Minutes of the December 11, 2014 Council Meeting

**ACTION:** A motion was made by Councilwoman Personti to approve the minutes of the December 11, 2014 Council Meeting with no correction. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 Absent Motion carried

## OLD BUSINESS:

### Discussion and possible action concerning RFP 14-02 a Request for Proposals concerning banking services.

Councilwoman Norkavage gave a brief overview that she met with the Town Manager, the Finance Director and a representative from M & T Bank regarding their bid and discussed several security options that the Town does not currently have and explained the services:

1. Payee Positive Pay
2. Positive Pay
3. ACH Fraud Protection – Debit Block
4. ACH Fraud Protection – Fraud Monitor/Review
5. Account Fraud Protection Check Blocker

She explained that these services will cost \$250.00 in up front setup and approximately \$112.84 per month after that.

**ACTION:** A motion was made by Councilwoman Norkavage to continue banking services with M & T Bank and to add the services discussed regarding account security. The motion was seconded by Councilwoman Frantz.

**VOTE:** 6-0 with 1 Absent Motion carried

## NEW BUSINESS:

### Introduction for first and second reading of Ordinance 589.

**ACTION:** A motion was made by Councilwoman Personti to consider Ordinance 589 for first and second reading. The motion was seconded by Mayor Burg.

**VOTE:** 6-0 with 1 Absent Motion carried

### Introduction for first and second reading of Ordinance 590.

**ACTION:** A motion was made by Mayor Burg to consider Ordinance 590 for first and second reading. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 6-0 with 1 Absent Motion carried

### Introduction for first and second reading of Ordinance 591.

**ACTION:** A motion was made by Mayor Burg to consider Ordinance 591 for first and second reading. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 Absent

Motion carried

Consideration of a request for additional funding to be applied to the Pedestrian and Bicycle Path Project in Fairgrounds Park.

Town Manager John Giles explained that he has received commitments for the money to install the required fencing along the walking path, however, he has not received the funds from Council Councilman Reda. DelDOT is stating that the costs could go up if we do not award a bid and get the fence installed which would ultimately cost the Town even more money. It is his understanding that we should still be receiving the funds from the Councilman but would like the Town to appropriate these funds in the meantime so that the project can begin.

**ACTION:** A motion was made by Councilman Jaremchuk to approve and fund an additional \$2,500.00 towards the Pedestrian and Bicycle Path Project. The motion was seconded by Councilwoman Frantz.

**VOTE:** 6-0 with 1 Absent

Motion carried

Councilman Jaremchuk asked to be notified when we receive the reimbursement from the Councilman.

Consideration of setting a date for the review and potential approval of the FY 2015-2016 Annual Operating and Capital Budgets as well as the setting of the Fiscal Year 2015-2016 Tax Rate.

Town Manager John Giles stated that he is planning a family vacation that will be during the month of June 2015 and that he would like to schedule the budget hearing for either Saturday, May 30, 2015 or Saturday, June 6, 2015.

There was a brief discussion regarding which dates and what times.

**ACTION:** A motion was made by Councilwoman Norkavage to set the FY 2015-2016 Budget Hearing for Saturday, June 6, 2015 at 8:00am. The motion was seconded by Councilwoman Personti.

**VOTE:** 6-0 with 1 Absent

Motion carried

Review of the initial year-end report submitted by the Elsmere Garden Society.

Town Manager John Giles presented a written report submitted by Garden Society Chair Elisa King.

Councilwoman Norkavage stated that she was impressed with the report and thinks the plans for the next year sound great.

Mr. Andrew Favreau, 1301 Sycamore Ave, stated that he would just like to thank the council for the opportunity to create the garden and their support.

## **DEPARTMENTAL REPORTS:**

### Code Enforcement

Town Manager John Giles presented the written report.

Councilwoman Norkavage asked if there was any snow removal enforcement with the first snow of the year.

Town Manager John Giles stated that there has been no code enforcement on this issue because it is hard to enforce the regulation when the Town has not cleared its sidewalks at the parks and such.

There was a lengthy discussed requesting the Town Manager to look into increasing the fees charged for repeated public nuisances and abatements.

Councilwoman Personti asked the Town Manager to look into adopting an ordinance to solidify the Home Occupation Use Ordinance to where it must be their primary residence.

### Finance

Town Manager John Giles presented the written report.

### Public Safety

Chief Laura Giles presented her written report.

### Public Works

Town Manager John Giles presented the written report. He added the following items to his report.

1. Two of the spreaders are currently down for repairs, but we do have a spare that is being used.
2. The street sweeper is out for its annual maintenance, this years' cost is approximately \$5,500.00

### Town Manager

Town Manager John Giles presented the written report. He added the following items to his report.

1. Election Day – He stated that he needs to know what time the polling hours should be this election so that a resolution can be adopted at the February 2015 Council Meeting.

There was a discussion and a consensus that the polling hours would be 10am-7pm.

He announced that the applications for candidates open on Tuesday, January 13, 2015 and will be due back by 7:00pm on Monday, February 2, 2015.

2. The budget did not include the annual payment for the new PW Pickup Truck. He would like the Council to approve a \$13,409.59 from the Long Term Planning – Capital Depreciation Account. The amount of money currently in that account is \$48,150.00.

**ACTION:** A motion was made by Councilwoman Frantz to approve an expense in the amount of \$13,409.59 from Long Term Planning – Capital Depreciation for the PW Pickup Truck Payment. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 Absent Motion carried

3. He stated that he met with Mr. McNally and Councilman Jaremchuk and a representative regarding a new fund for housing that may have some grant money associated with it.
4. The Town has actively begun its 2016 Comcast Franchise Agreement Renewal.

#### **ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:**

**Mayor – None**

**District 1 – None**

**District 2 – None**

**District 3 – None**

**District 4 – None**

**District 5** – Councilwoman Personti stated that the 5<sup>th</sup> District Annual Resident's Meeting will be on Wednesday, March 25, 2015 at 7:00pm.

**District 6** – Councilwoman Norkavage asked if the Town has received the deed for Vilone Park yet.

Town Manager John Giles stated that he has not yet received the deed for Vilone Park.

#### **PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**ACTION:** A motion was made by Councilman Jaremchuk to adjourn. The motion was seconded by Councilwoman Frantz.

**VOTE:** 6-0 with 1 Absent

Motion carried

These minutes summarize the agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio recordings of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recordings may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**STEVEN E. BURG**  
**MAYOR**

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**JOANN I. PERSONTI**  
**SECRETARY**